

ARS □ ERS □ NASS □ NIFA

Policies and Procedures

Title: Animal Damage Control and Hunting at ARS Locations

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Originating Office: Facilities Division

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Distribution: ARS Headquarters, Area Offices, Business Service Centers and Locations

This issuance provides policy and guidance; delegates responsibilities, and identifies and updates references for animal damage control on land under the custody and control of ARS. It also provides for expanded responsibilities as a result of the restricted organization.

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1. Purpose

The purpose of this issuance is to provide policy and guidance to protect Agricultural Research Service (ARS) land and research from damage resulting from wildlife. This policy delegates authority to permit hunting for the purpose of managing and controlling animal damage on lands in custody and control of the ARS and identifies responsibilities associated with such.

2. Possession of Firearms on Federal Real Property

Reference (a) prohibits the possession of firearms or other dangerous weapons in Federal facilities by all persons not specifically authorized by 18 United States Code 930. Those excluded within reference (b) are:

- a. the lawful performance of official duties by an officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law;
- b. a Federal official or a member of the armed forces if such possession is authorized by law; or
- c. the lawful carrying of firearms or other dangerous weapons in a Federal facility incident to hunting or other lawful purposes.
- d. possession of a State or local conceal/carry license does not give the bearer authorization to carry a firearm on ARS property unless the bearer also meets the criteria of bullets a, b or c above.

Reference (c) prohibits the possession and use of firearms on ARS-controlled property except in the performance of official duties or as outlined in herein.

3. Animal Damage Control (ADC)

References (d), (e), and (f) authorize wildlife damage management and the ADC Program within USDA to control predatory and other wild animals. The ADC Program within the Department of Agriculture (USDA) is managed by Animal Plant Health Inspection Service (APHIS). Policy and procedures for ADC firearm use and safety have been established by within Reference (g). Should an Area or Location require ADC services, it is recommended that APHIS Wildlife Services (WS) be contacted at 1-866-4USDAWS.

4. Policy

In accordance with the references and guidance contained herein, Area Directors are delegated authority to approve hunting for the purposes of managing wildlife damage at Locations within their Areas.

It is the policy of ARS not to allow hunting on lands under the custody and control of ARS except at ARS Locations with:

- a need for ADC,
- an established tradition of allowing hunting and a strong local demand for access to ARS-controlled land during hunting season, or
- ARS reserves the sole right to make this determination.

5. Responsibilities

Below each position listed are the responsibilities associated with this issuance.

Area Directors will:

- Establish and approve hunting programs for Locations within their assigned Areas.
- Identify such Locations to Business Service Center (BSC) and Facilities Division Management.
- Delegate oversight and management responsibilities associated with conducting such a program to Center Directors and/or Location Leaders, in writing.
- Ensure employees who manage and/or participate in ARS-established hunting programs have appropriate wording added to their Position Description.

Center Directors/Location Leaders will:

- Coordinate with Federal, State and Local regulatory agencies.
- Establish written rules for implementing and executing ADC and controlled hunting program(s) at the Center/Location, providing copies to the Area Director's Office, BSCs, and the ARS Physical Security Specialist.
- Require employees who have been authorized to carry firearms on Federal property to provide proof of fire arm registration and State licensing where required by law.
- Maintain related records: copies of fire arm and/or archery registrations, copies of State licenses, harvest logs, dates of events, etc.
- Review damaged crop reports to identify and delineate areas for ADC and/or Controlled Hunting events.
- Apply for exemptions from State tag limitations, if desired.
- Assign parking permits.
- Monitor ADC and controlled hunting programs.
- Coordinate with on-site security a minimum of 48 hours prior to hunts.

Authorized Employees, Participant and Permittees will:

- Complete and sign a participant agreement.
- Provide proof of registration for all firearms transported onto the Center/Location.
- Obtain and maintain State fire arm and archery qualifications.
- Obtain a valid State hunting permit and carry a hunter safety card.
- Register to participate in ADC and/or controlled hunting program or event.
- Register for ADC and/or controlled hunting programs or events.

- Check in prior to events to obtain a parking permit; which must be displayed on vehicle dashboard during controlled hunts.
- Check harvested carcasses with local regulatory agencies (i.e., Department of Natural Resources).

BSC Real Property Leasing Officers and/or Area Realty Specialists delegated authority to sign Revocable Permis will:

- Prepare, issue, and execute an *ARS-494, Revocable Permit*, for the use of ARS facilities for any APHIS Wildlife Services controlled hunts.
- Prepare, issue, and execute an *ARS-494*, for any individual, other than an Agency employee, or organization who is approved by the Area Director to hunt on lands under the custody and control of ARS.
- Maintain a log of *ARS-494s* issued.
- Establish and maintain a list of Centers and Locations that participate in an ADC activities or conduct control hunting programs or events.
- Provide the above-referenced list to the ARS Physical Security Specialist on an annual basis.

6. References

- 41 Code of Federal Regulations, Part 102-74.440
- 18 United States Code 930, "Possession of firearms and dangerous weapons in Federal facilities."
- 245.1 ARS Real Property Manual, Chapter 10 Facilities Protection
- Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Bill, 2014
- USDA, APHIS, WS Manual
- USDA, APHIS, WS Directive 1.210, September 19, 2003
- USDA, APHIS, WS Directive 2.615, November 24, 2009

7. Glossary

ADC	-	Animal Damage Control
ARS	-	Agricultural Research Service
APHIS	-	Animal Plant Health Inspection Service
BSC	-	Business Service Center
USDA	-	Department of Agriculture
WS	-	Wildlife Services

NINO L. FLERI
Director
Facilities Division

Date

Exhibits

Exhibit 1, Sample Participant Agreement

Sample Participant Agreement

Animal Damage Control and Controlled Hunting Program Participant Agreement

I, ____ (Participant's Name) ____, have read and understand the rules and regulations for the Animal Damage Control Program for the (Installation Name) , (Area). I agree to abide by these rules and regulations, including all applicable State and Local game laws.

I understand that a willful violations of Federal, Agency, Department, State or Local laws, regulations or ordinances will result in the suspension of my hunting privileges at __ (Installation Name) _ and firearms, archery equipment and kill in my possession, or under my control, may be confiscated and may result in prosecution.

By signing this agreement, I agree to the above.

Printed Name

Signature

Date

This agreement must be returned to: (Insert coordinator's name and address.)